

06-21-04

HE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Hardin, Susan, et. al.

SERIAL NO.:

09/901,782

07/09/01

ART UNIT NO.: 1633

EXAMINER: SMITH, C.L.

DOCKET NO.: 00007/01UTL

FILED:

TITLE: COMPOSITIONS FOR

REAL-TIME SEQUENCE

DETERMINATION

EL 961 167 905 US Express Mail Number CERTIFICATE OF MAIL BY EXPRESS MAIL

June 18, 2004 Date of Deposi

Geby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail esset service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the:

Commissioner for Patent -MS AMENDMENT

P.O. Box 1450, Alexandria, VA 22313-1450

June 18, 2004

Date of Signature

RESPONSE TO 8 JUNE 2004 FINAL OFFICE ACTION

Dear Examiner Smith:

This is a response to the 8 June 2004 Final Office Action.

SUMMARY OF FINAL OFFICE ACTION

| Claim 7 | objection - "d" |
|--------------------------|--|
| Claims 20-24 and 45 | 112, 1¶ - New Matter - "two different sites" |
| Claim 19 | 112, 2¶ "mixtures or combinations thereof of the Taq polymerase" |
| Claims 18, 35-42 | 112, 2¶ "FRET" |
| Claim 1-5, 7-9 and 20-23 | 102(a&b) - Williams and Brandis |
| 6, 10-17 and 43 | allowed or allowable |